IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 21ST AUGUST 2006 / 30TH SRAVANA 1928

Bail Appl..No. 5012 of 2006

CRIME NO.49/2006 OF PERUVANNAMUZHI POLICE STATION

PETITIONER/ACCUSED:

MUHAMMAD, S/O. AMMAD,
THALAKKAT HOUSE, CHAKKITTAPARA AMSOM AND DESOM,
KOZHIKODE DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS: COMPLAINANT:

STATE OF KERALA THROUGH THE
SUB INSPECTOR OF POLICE, PERUVANNMUZHI POLICE
STATION, REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5012/2006

DATED THIS THE 21ST DAY OF AUGUST, 2006

O R D E R

The petitioner is accused, of the offence punishable under Sections, 376 and 506(i) IPC, as he had committed rape of the victim, in the year 1995. she became pregnant and delivered a male child. The rape was committed, after giving the promise of marriage. The petitioner is now before this Court, under Section 438 Cr.P.C.

2. After hearing both sides, I direct the petitioner to surrender before the Investigating Officer, who is investigating crime No.49/2006 of Peruvannamuzhi Police Station on 29.8.2006, between 10.30 a.m and 11.00 a.m.

3. The Investigating Officer shall interrogate the petitioner, and in the event of his arrest, he shall be released on bail, on he executing a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting him.

4. The petitioner shall co-operate with the investigation, including the scientific test, if any, to be conducted, being part of the completion of the investigation.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs